

Attachment 2

BY-LAW NUMBER XXX-17

- of -

THE CORPORATION OF THE COUNTY OF BRANT

To amend By-law Number 61-16, the Zoning By-law for the County of Brant, as amended (County of Brant, Housekeeping Amendment)

WHEREAS the County of Brant initiated a review of its Zoning By-law to ensures currency, correct identified errors in mapping and text, and clarify interpretative provisions;

AND WHEREAS the Planning Act empowers a municipality to pass by-laws prohibiting the use of land and the erection, location and use of buildings or structures, except as set out in the by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the County of Brant;

AND WHEREAS the Planning Advisory Committee of the Corporation of the County of Brant has recommended approval of this by-law;

AND WHEREAS the Council of the Corporation of the County of Brant deems it to be desirable for the future development and use of the lands described above;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE COUNTY OF BRANT HEREBY ENACTS as follows:

1. **That** Table of Contents is hereby amended to allow for renumbering as needed due to the subsequent aments within this by-law.

*Table of Contents section to be renumbered as needed to the amendments proposed through this Housekeeping By-Law.

2. **That** Section 3: Definitions is hereby amended by removing and replacing the following;

HOME OCCUPATION	Means an occupation limited to a <i>bed and breakfast establishment, caterer's establishment, computer services, craft shop, instruction of music, arts, and/or academic subjects, insurance and/or sales agents, office, business or professional, personal service establishment, private home daycare, seamstress/tailor, studio. A medical office limited to a physiotherapist, osteopath, chiropractor, massage therapist. A home occupation shall not include a retail store, convenience store, restaurant, body rub parlour, dental office, laboratory, pharmacy and/or dispensary, hospital, funeral home, salvage yard, automotive use, open storage, and veterinary clinic.</i>
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*Home Occupation definition amended to remove requirements as these are further set out within Section 4.16.8 of the By-Law. The definition of a use should only speak to what this use is intended to be or what it excludes.

3. **THAT** Section 4 General Provisions, subsection 4.16 Home Occupation is hereby amended by removing subsection 4.16.8 Uses Permitted and Prohibited.

*These have been included within the definition of a home occupation. The definition explains what the use shall be the section sets out the requirements.

4. **THAT** Section 4 General Provisions, subsection 4.16 Home Occupation is hereby amended by renumbering the subsections as needed.

*Amended to reflect the proposed changes to this specific Section as set out within this Draft By-Law.

5. **THAT** Section 4 General Provisions, subsection 4.16 Home Occupation is hereby amended by adding the following;

4.16.8 Medical Office

Where permitted, a *medical office* shall be limited to one (1) practitioner.

*limitations for a medical office as a home occupation.

6. **That** Section 15: Holding (h) And Temporary (T) Zones, Table 15.2 Temporary Zone Provisions is hereby amended by deleting the following;

116-14, 127-15	T-18	446 Ninth Concession Road	<p>In addition to the <i>uses</i> permitted in Agricultural (A) Zone, a <i>kennel</i> with a maximum of 18 dogs shall be permitted on the <i>lot</i> provided that it is removed on or before the expiry date stated herein, and the following regulations shall apply:</p> <ul style="list-style-type: none"> a) A maximum of 18 dogs shall be permitted on the <i>lot</i>; b) No dogs shall be permitted to run 'at large' as defined by the Animal Control By-Law; c) Doghouses shall be setback a minimum of 60.0 metres from the <i>front lot line</i>, 12.0 metres from the east <i>lot line</i>, and 45.0 metres from the west <i>lot line</i>; d) Each doghouse shall have a lockable door and ventilation; e) All dogs shall be kept inside doghouses/<i>kennel</i> at night, unless deemed improper treatment as determined by the SPCA; f) The Owner shall comply with the Noise By-Law and take every effort to limit noise from barking dogs at 	May 20, 2016
			<p>all times;</p> <ul style="list-style-type: none"> g) The fence on the <i>lot</i> shall be fully insulated for noise mitigation and shall be completed by September 30th, 2015, to the satisfaction of the General Manager of the Development Services Division or his delegate; h) No dogs or dog houses shall be permitted outside the fenced area on any part of the <i>lot</i>. <p>All other requirements of the By-Law shall apply.</p>	

* The temporary use of the kennel has been removed from the property. The Zoning will revert back to Agricultural (A) on the mapping.

7. That Schedule 'A' Key Map, Map 144 is hereby amended by changing the current Zoning on the subject lands from Temporary (T-18) to Agricultural (A), as shown on Schedule 'A' of this by-law.

*This temporary use has been removed from the property and therefore the Zoning should be reverted back to the parent Agricultural (A) Zone.

8. **That** Section 15: Holding (h) And Temporary (T) Zones, Table 15.2 Temporary Zone Provisions is hereby amended by removing and replacing the Site Specific number T-33 with T-62;

79-16	T-62	223 Norwich Road	Notwithstanding any provisions of this by-law to the contrary, within any area zoned T-62 on Schedule "A" hereto, a kennel for up to 40 dogs and 10 cats shall also be permitted for a period of up to 3 years, being removed on or before June 28, 2019. All other requirements of the By-law shall apply.	June 28, 2019
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*Duplicate exception number awarded to the property. Change from T-33 to T-62.

9. **That** Section 15: Holding (h) And Temporary (T) Zones, Table 15.2 Temporary Zone Provisions is hereby amended by deleting the following;

By-Law No.				
6-10	T-1	363 Paris Road	In addition to the <i>uses</i> permitted in the Agricultural (A) <i>Zone</i> , a <i>garden suite</i> shall also be permitted, provided that it is removed on or before the expiry date stated herein. All other requirements of the By-Law shall apply.	April 6, 2020

*The garden suite has been removed from the property. The Zoning will now revert back to Agricultural (A) on the mapping.

10. **That** Section 15: Holding (h) And Temporary (T) Zones, Table 15.2 Temporary Zone Provisions is hereby amended by deleting the following;

87-10	T-26	59 King Street	<p>In addition to the <i>uses</i> permitted in the Suburban Residential (SR) <i>Zone</i>, a second temporary <i>dwelling unit</i> being a <i>mobile home</i> shall also be permitted provided that such <i>mobile home</i> is removed from the <i>lot</i> on or before the expiry date stated herein. The <i>mobile home</i> may be sited on the <i>lot</i> no closer than 2.0 metres from any <i>side lot line</i>.</p> <p>All other requirements of the By-Law shall apply.</p>	May 4, 2020
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*The garden suite has been removed from the property. The Zoning will now revert back to Suburban Residential (SR) on the mapping.

11. That Schedule 'A' Key Map, Maps 109 and 109B are hereby amended by changing the current Zoning on the subject lands from Temporary (T-26) to Suburban Residential (SR), as shown on Schedule 'A' of this by-law.

* This temporary use has been removed from the property and therefore the Zoning should be reverted back to the parent Suburban Residential (SR) Zone.

12. **THAT** Section 4 General Provisions, subsection 4.4 Regulations for Accessory Buildings and Structures is hereby amended by adding the following wording "...required..." to subsection b) as follows;

b) *Buildings or structures accessory to a dwelling unit* shall not be permitted prior to the construction of the *dwelling* and shall not be located within the required *front yard* or *exterior side yard*.

* Subsection amended to specifically prohibit accessory structures within the required front yard and exterior side yards.

13. **THAT** Section 10 Commercial (C) Zones Table 10.8: Special Exceptions C2 Zone is hereby amended by removing and replacing the following Site Specific C2-27;

Not Available	C2-27	<p>Notwithstanding any provision of this By-Law to the contrary, within any area <i>zoned</i> C2-27 on Schedule “A” hereto, in addition the use permitted within the C2 Zone the following uses shall also be permitted;</p> <ul style="list-style-type: none"> (a) <i>accessory use</i>; (b) business office; (c) <i>contractor’s yard</i>; (d) data processing establishment; (e) <i>manufacturing facility</i>; (f) <i>nursery and garden centre</i>; (g) office; (h) <i>office supply outlet</i>; (i) <i>office, support</i>; (j) <i>printing establishment</i>; (k) public use; (l) <i>recreational establishment</i>; (m) <i>service and rental establishment</i>; (n) <i>research and development establishment</i>; (o) retail <i>accessory</i> to a permitted use; (p) <i>service shop</i>; (q) <i>veterinary clinic</i>; (r) <i>warehouse</i>; (s) <i>wayside pit or wayside quarry</i>; (t) <i>wholesale establishment</i>. <p>All other requirements of the By-Law shall apply.</p>
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* Site Specific amended to reflect the uses which the property is legally entitled too.

12. THAT Section4 General Provisions, subsection 4.26 Model Home/Temporary Sales Trailer is hereby amended by removing and replacing “...or...” with “...and...” within subsection a) as follows;

a) The lands on which the model home/ temporary sales trailer is to be constructed have received draft plan approval under the Planning Act and the Subdivision or Condominium and any other Agreement has been registered.

*The replacement of “...and any other Agreement has been registered.” creates a definitive sentence and requirement as opposed to “..or..” which implies that there may be other Agreements required.

13. THAT Section4 General Provisions, subsection 4.26 Model Home/Temporary Sales Trailer is hereby amended by removing and replacing “...development site...” with “...approved plan of Subdivision or Condominium...” within subsection b) as follows;

b) The model home/ temporary sales trailer shall be located within the approved plan of Subdivision or Condominium and that sales are restricted to the units within that development only.

*This restricts the model home or sales trailer from being proposed on a neighboring site also proceeding with development approvals at the same time. All model homes or sales trailers will need to be contained within the specific plan of subdivision or condominium of which the sales directly relate to.

14. That Schedule 'A' Key Map, Maps 72 and 73 are hereby amended by changing the current Zoning on the subject lands from Recreational Facilities (OS2) to Agricultural (A), as shown on Schedule 'A' of this by-law.

*This was rezoned in error from Agricultural (A) to Recreational Open Space (OS2).

15. THAT Section 8 Urban Residential Zones, 8.4 Special Exceptions R2 Zone is hereby amended by adding the following Site Specific clause;

-17	R2-30	<p>Notwithstanding any provision of this By-Law to the contrary, within any area <i>zoned</i> R2-30 on Schedule "A" hereto, in addition to the use permitted within the R2 Zone the following uses shall also be permitted;</p> <ul style="list-style-type: none">• Studio;• Personal Service Shop (excluding laundromat and dry-cleaning establishment);• Dwelling, unit;• Office, Medical/Dental;• Office, Business or Professional;• Service Office;• Dwelling, Duplex;• Dwelling, Converted;• Lodging House;• Bed and Breakfast Establishment;• Dwelling, Triplex,• Dwelling, Street Fronting Rowhouse; <p>All other requirements of the By-Law shall apply.</p>
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16. THAT Section 8 Urban Residential Zones, 8.5 Special Exceptions RM1 Zone is hereby amended by adding the following Site Specific clause;

-17	RM1-26	<p>Notwithstanding any provision of this By-Law to the contrary, within any area <i>zoned</i> RM1-26 on Schedule "A" hereto, in addition to the use permitted within the RM1 Zone the following uses shall also be permitted;</p> <ul style="list-style-type: none"> • Studio; • Personal Service Shop (excluding laundromat and drycleaning establishment); • Dwelling, unit; • Office, Medical/Dental; • Office, Business or Professional; • Service Office; • Dwelling, Duplex; • Dwelling, Converted; • Lodging House; • Bed and Breakfast Establishment; <p>All other requirements of the By-Law shall apply.</p>
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*Inclusion of Site Specific clauses for the R2 and RM1 Zones within site specific areas of Paris and St. George to re-establish the limited commercial uses which were permitted by right within By-Law 110-01.

17. That Schedule 'A' Key Map, Maps 27 and 27B, are hereby amended by changing the current Zoning on the subject lands from Residential Singles and Semis (R2) to Special Exception Residential Singles and Semis (R2-30), as shown on Schedule 'A' of this by-law.

*Inclusion of Site Specific clauses for the R2 and RM1 Zones within site specific areas of Paris and St. George to re-establish the limited commercial uses which were permitted by right within By-Law 110-01.

18. That Schedule 'A' Key Map, Maps 27, 27B, 41, and 41C are hereby amended by changing the current Zoning on the subject lands from Built and Cultural Heritage Area Residential Singles and Semis (HA-R2) to Built and Cultural Heritage Area Special Exception Residential Singles and Semis (HA-R2-30), as shown on Schedule 'A' of this by-law.

*Inclusion of Site Specific clauses for the R2 and RM1 Zones within site specific areas of Paris and St. George to permit the limited commercial uses which were permitted by right within By-Law 110-01.

19. That Schedule 'A' Key Map, Maps 41 and 41C are hereby amended by changing the current Zoning on the subject lands from Built and Cultural Heritage Area Residential Multiple Low Density (HA-RM1) to Built and Cultural Heritage Area Special Exception Residential Multiple Low Density (HA-RM1-26), as shown on Schedule 'A' of this by-law.

*Inclusion of Site Specific clauses for the R2 and RM1 Zones within site specific areas of Paris and St. George to permit the limited commercial uses which were permitted by right within By-Law 110-01.

20. **That** Section 3: Definitions is hereby amended by including pet grooming to the following existing definition;

PERSONAL SERVICE ESTABLISHMENT	Means a <i>building</i> in which services are provided and administered to the individual and personal needs of <i>persons</i> , and without limiting the generality of the foregoing, includes a barber shop, beautician, hair salon, shoe repair, tailor shop, pet grooming, <i>dry cleaning and laundromat</i> . The sale of merchandise shall be permitted only as an <i>accessory</i> use to the personal service provided.
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*Inclusion of pet grooming as a permitted personal service establishment use.

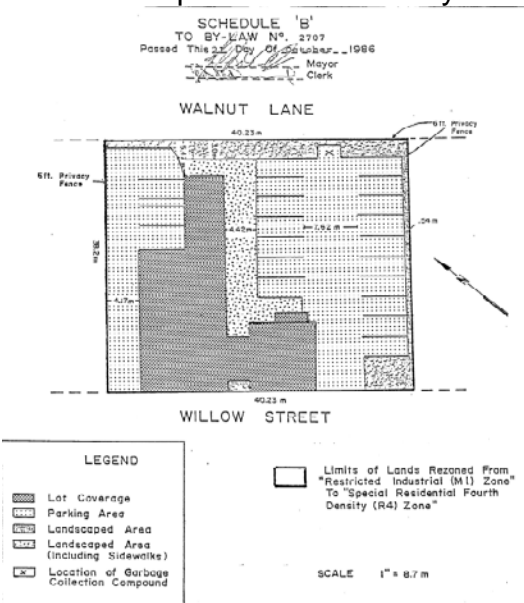
21. That Schedule 'A' Key Map, Maps 26 and 35 is hereby amended by changing the current Zoning on the subject lands from Holding Provision Unidentified Open Space Zone (h-OS4) to Holding Provision Recreational Trailer Park (h-OS3), as shown on Schedule 'A' of this by-law.

*The current Zoning on the property of OS4 does not exist within the County of Brant Zoning By-Law 61-16. The property currently has an existing recreational trailer park operating and therefore this was a Staff error and typo within the mapping.

22. That Schedule 'A' Key Map, Maps 41 & 41C are hereby amended by changing the current Zoning on the subject lands from Special Policy Area Built and Cultural Heritage Area Residential Multiple High Density (s-HA-RM3) to Special Policy Area Built and Cultural Heritage Area Special Exception Residential Multiple High Density (s-HA-RM3-11), as shown on Schedule 'A' of this by-law.

*The current Zoning on the property of s-HA-RM3 does not reflect the Site Specific Zoning applied to the property under the Town of Paris Zoning By-Law through a Planning Act Application.

23. THAT Section 8 Urban Residential Zones, 8.7 Special Exceptions RM3 Zone is hereby amended by adding the following Site Specific clause;

-17	RM3-11	<p>Notwithstanding any provision of this By-Law to the contrary, within any area <i>zoned</i> RM3-11 on Schedule “A” hereto, the uses shall be limited to the following;</p> <ul style="list-style-type: none"> • An <i>apartment dwelling</i> with a maximum of 10 <i>dwelling units</i>; <p>The following site specific development standards shall apply;</p> <p><i>Street Setback</i> (minimum) 0.0m <i>Rear Yard Setback</i> (minimum) 5.4m <i>Interior Side Yard Setback</i> (minimum) 4.17m</p> <ul style="list-style-type: none"> • <i>Landscaped open space</i> shall be provided and maintained within the area designated “Landscaped Area” on Schedule ‘B’ of the Site Plan; • A Visual barrier shall be constructed and maintained as indicated on Schedule ‘B’ of the Site Plan; • <i>Parking spaces</i> shall be provided and maintained wholly within the areas designated “<i>Parking Area</i>” and Schedule ‘B’ of the Site Plan. <p>All other requirements of the By-Law shall apply.</p> 
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*The current Zoning on the property of s-HA-RM3 does not reflect the Site Specific Zoning applied to the property under the Town of Paris Zoning By-Law through a Planning Act Application.

READ a first and second time, this th day of ____, 2017.

READ a third time and finally passed in Council, this th day of ____, 2017.

THE CORPORATION OF THE COUNTY OF BRANT

R.E.F. Eddy, Mayor

Heather Boyd, Clerk